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IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF SOUTH CAROLINA  
BEAUFORT DIVISION

2008 FEB 29 P 1:12

DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
CHARLESTON, SC

Kenneth Lawson, #313139,

Plaintiff,

vs.


Dr. Berg, et al.,

Defendants.

Civil Action No. 9:07-0907-JFA-GCK

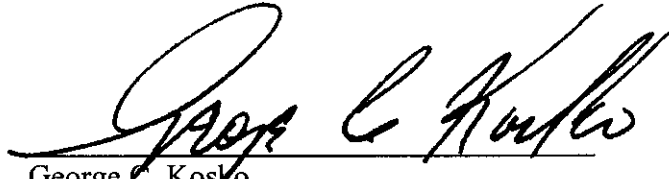
**REPORT AND RECOMMENDATION**

On or about March 30, 2007, the Plaintiff filed a complaint alleging he was subjected to excessive force and cruel and usual punishment while detained at the Alvin S. Glenn Detention Center in May 2005. [1] On February 25, 2008, Plaintiff filed a motion to amend his complaint. [65] The undersigned has granted the motion to amend by entry of an Order dated February 29, 2008. [66]



As the Court's review of the caption of the Amended Complaint indicates, Plaintiff's claims are solely against the Defendant Dr. Berg. The Court concludes that the Plaintiff intends to abandon any claims against two of the defendants initially named in the Complaint (Unknown Superiors of Each Defendant and Richland County Correction Department, Detention Center Commissioner). Accordingly, **it is recommended** that the defendants Unknown Superiors of Each Defendant and Richland County Correction Department be dismissed from this action, *sua sponte*.

Furthermore, the Court takes judicial notice that it is not necessary to name a physician's medical malpractice insurer as a defendant in a civil action against the physician. Therefore, it is **recommended** that National Union Fire Insurance Company and Professional Risk Management Services, Inc. be dismissed from this action.



George C. Kosko  
United States Magistrate Judge

February 29, 2008

Charleston, South Carolina